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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Re App : Gheng Zhang et al. : November 23, 2005
S. N. : 09/206,329 : Group Art Unit 3762
Filed : December 8, 1998 : Examiner George Evanisko
For : AUTOCAPTURE PACING/SENSING
CONFIGURATION

APPEAL BRIEF FOR THE APPELLANTS

Mail Stop APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I. REAL PARTY IN INTEREST

The real party in interest is Cardiac Pacemakers, Inc.,
having offices at 4100 Hamline Avenue North, St. Paul, Minnesota
55112-5798, by virtue of Assignments from the inventors, each
recorded December 8, 1998, at Reel 010297, Frames 0848-0851.

II. RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to the
owner of the subject application, the owner's legal
representative, or the inventors which will directly affect or
be directly affected by or have a bearing on the Board of Patent
Appeals and Interferences in the pending appeal to the present
knowledge of the undersigned.

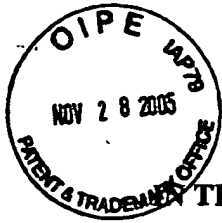


EXHIBIT "A"

PATENT APPLICATION

OUR FILE NO. 970663.CON

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App: Geng Zhang, et al. : June 6, 2001
S.N. : 09/206,329 : Art Unit 3737
Filed : December 8, 1998 : Exam George Evanisko
For : AUTOCAPTURE PACING/SENSING CONFIGURATION

TERMINAL DISCLAIMER

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

The undersigned Petitioner, Paul T. Dietz, represents that he is a registered attorney and an agent of record in connection with the above-entitled patent application. The undersigned Petitioner further represents that Cardiac Pacemakers, Inc., having a principal place of business at 4100 N. Hamline Avenue, St. Paul, Minnesota 55112-5798, is the assignee of all right, title and interest in the above-entitled patent application and is the assignee of all right, title and interest in U.S. Patent No. 5,843,136 issued December 1, 1998 and U.S. Patent No. 6,044,296 issued March 28, 2000.

Petitioner Cardiac Pacemakers, Inc. hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent No. 5,843,136 or U.S. Patent No. 6,044,296 and hereby agrees that any patents so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to Serial No.: 09/206,329 filed